

**BIRCH, STEWART, KOLASCH & BIRCH, LLP**

INTELLECTUAL PROPERTY LAW  
8110 GATEHOUSE ROAD  
SUITE 100 EAST  
FALLS CHURCH, VIRGINIA 22042-1248  
USA

(703) 205-8000  
FAX: (703) 205-8050  
(703) 698-8590 (G IV)

e-mail: mailroom@bskb.com  
web: http://www.bskb.com

OTHER OFFICES:  
CARLSBAD, CALIFORNIA  
COSTA MESA, CALIFORNIA  
LOS ANGELES, CALIFORNIA

00727 U.S. PTO  
10/736701



Date: December 17, 2003

Docket No.: 0020-5207P

**MS PATENT APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

As authorized by the inventor(s), transmitted herewith for filing is a patent application applied for on behalf of the inventor(s) according to the provisions of 37 C.F.R. § 1.41(c).

Inventor(s): FUKUNAGA, Hiroshi; KISHIMI, Mitsuhiro;  
MORISHIMA, Masao and YAMASHITA, Toshihiko

For: METALLIC POROUS BODY

Enclosed are:

- ☒ A specification consisting of Forty-six (46) pages
- ☒ Nine (9) sheet(s) of formal drawings
- ☐ Applicant claims small entity status under 37 C.F.R. § 1.27
- ☐ Applicant does not claim priority
- ☒ Applicant claims the right of priority under the provisions of 35 U.S.C. § 119 and 37 C.F.R. § 1.55(a) based on Application No(s). 2002-364607 and 2003-355027 filed in JAPAN on December 17, 2002 and October 15, 2003.
  - ☐ Certified copy(ies) is(are) attached hereto.
  - ☒ Certified copy(ies) will follow.

- ☒ Executed Declaration in accordance with 37 C.F.R. § 1.64 will follow
- ☐ Application Data Sheet in accordance with 37 C.F.R. § 1.76
- ☒ Preliminary Amendment
- ☒ Information Disclosure Statement, PTO-1449 and reference(s)
- ☐ Other: \_\_\_\_\_
- ☐ Applicant requests early publication - \$300.00 publication fee
- ☐ Non-publication Request and Certification under 35 U.S.C. § 122(b) (2) (B) (i)

The filing fee has been calculated as shown below:

|                                                                         |                 |                 | LARGE ENTITY    | SMALL ENTITY  |
|-------------------------------------------------------------------------|-----------------|-----------------|-----------------|---------------|
|                                                                         | BASIC FEE       |                 | \$770.00        | \$385.00      |
|                                                                         | NUMBER<br>FILED | NUMBER<br>EXTRA | RATE FEE        | RATE FEE      |
| <b>TOTAL<br/>CLAIMS</b>                                                 | 20-20=          | 0               | x 18 = \$0.00   | x 9= \$0.00   |
| <b>INDEPENDENT<br/>CLAIMS</b>                                           | 3-3=            | 0               | x 18 = \$0.00   | x43= \$0.00   |
| <input type="checkbox"/> <b>MULTIPLE DEPENDENT<br/>CLAIMS PRESENTED</b> |                 |                 | + \$290.00      | + \$145.00    |
|                                                                         | <b>TOTAL</b>    |                 | <b>\$770.00</b> | <b>\$0.00</b> |

- ☒ The application transmitted herewith is filed in accordance with 37 C.F.R. § 1.41(c). The undersigned has been authorized by the inventor(s) to file the present application. The original duly executed declaration together with the surcharge will be forwarded in due course.
- ☒ A check in the amount of \$770.00 to cover the filing fee is enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this transmittal form is enclosed.

☒ Please send correspondence to:  
BIRCH, STEWART, KOLASCH & BIRCH, LLP or Customer No. 02292  
P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

John W. Bailey, #32,881

JWB/smt  
0020-5207P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachment(s)

(Rev. 11/30/03)